

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

VINCENT W. FALA and JUDITH A. FALA	:	
	:	
Plaintiffs	:	CIVIL ACTION NO. 3:19-1132
	:	
v.	:	
	:	(JUDGE MANNION)
PENNSYLVANIA CVS PHARMACY, LLC	:	
	:	
Defendant	:	

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**
HEREBY ORDERED THAT:

1. Defendant Pennsylvania CVS Pharmacy, LLC's motion to dismiss, (Doc. 42), Plaintiffs Vince and Judith Fala's amended complaint as to the Count V claim for strict products liability under the Restatement (Second) of Torts, §402A is **GRANTED**;

2. Defendant Pennsylvania CVS Pharmacy, LLC's request within its motion to dismiss, (Doc. 42), that the amended complaint be dismissed in its entirety will be **DENIED**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: September 30, 2021

19-1132-01-ORDER